IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION

United States of America,	)	
	)	
Plaintiff,	)	**ORDER RE WAIVER OF DETENTION HEARING AND PRELIMINARY HEARING**
v.	)	
	)	
Dickey Cain,	)	
	)	Case No. C1-00-003
Defendant.	)	

On November 22, 2005, the court received a Waiver of Right to Detention and Preliminary Hearings executed by the defendant as well as defense counsel.

The court finds that the defendant, having had an opportunity to consult with counsel, freely and voluntarily, and knowingly and intelligently waived her right to a detention hearing and a preliminary hearing and consented to be detained pending disposition of this matter. Further, based upon the defendant's waiver of a preliminary hearing, the court finds that there is probable cause to believe that the defendant may have committed the offense alleged in the petition for revocation of supervised release.

Accordingly, the court **ORDERS** that the defendant be bound over to the United States District Court to answer to the charges set forth in the petition. In addition, the court **GRANTS** the Government's Motion to Detain and **FURTHER ORDERS** that the defendant be committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultations with defense counsel. On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility shall deliver the

defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

Dated this 22nd day of November, 2005.

/s/ Charles S. Miller, Jr
Charles S. Miller, Jr.
United States Magistrate Judge